

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT
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Applicant: Kerry Bradley et al.
 Serial No.: 09/858,183 Examiner: G. Evanisko
 Filed: 05/14/2001 Art Unit: 3762
 Docket No.: SJ1-010US
 For: CARDIAC STIMULATION DEVICES AND METHODS FOR
 MEASURING IMPEDANCES ASSOCIATED WITH THE LEFT
 SIDE OF THE HEART

MAR 19 2004

OFFICIAL

TRANSMITTAL OF RESPONSE TO RESTRICTION REQUIREMENT
AND CERTIFICATE OF MAILING

MAIL STOP AMENDMENTS
 COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir:

Submitted herewith for filing are the following documents:

Response to Restriction Requirement
 Transmittal of Req. for Reconsideration and Cert. of Mlg.
 Fee Transmittal

Respectfully submitted,

Date: 3/19/04

Ronald S. Tamura
 Ronald S. Tamura
 Reg. No. 43,179

Correspondence Address:

PACESETTER, INC.
 15900 Valley View Court
 Sylmar, CA 91392-9221
 818/493-3157
 818/362-4795 (fax)

I hereby certify that this correspondence is being facsimile
 transmitted to the United States Patent and Trademark
 Office on:

March 19, 2004


 Estella Pineiro 3/19/04
 Date

TELECOPIER COVER SHEET

March 19, 2004

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To: Assistant Commissioner for Patents	From: Estella Pineiro Patent Administrator 818/493-2251
Attention: Examiner G. Evanisko Art Unit: 3762 TECHNOLOGY CENTER 3700	ST. JUDE MEDICAL CRMD 15900 Valley View Court Sylmar, California 91392-9221
Telecopier: 703/872-9306	Telecopier: 818/362-4795
RE: Amendment Applic. No. 09/858,183 Filed: 05/14/2001 Docket No. SJ1-010US	Number of pages being sent: <u>5</u> (including cover page)

PLEASE DELIVER TO EXAMINER GEORGE EVANISKO, Art Unit 3762.

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 0)

Complete If Known	
Application Number	09/858,183
Filing Date	05/14/2001
First Named Inventor	Kerry Bradley
Examiner Name	G. Evanisko
Art Unit	3762
Attorney Docket No:	SJ1-010US

METHOD OF PAYMENT (check all that apply)

 Check Credit card. Money Order Other None
 Deposit Account:

Deposit Account Number

16-0068

Deposit Account Name

PACESETTER, INC.

The Director is authorized to: (check all that apply)

 Charge fee(s) indicated below Credit any overpayments

 Charge any additional fee(s) or any underpayment of fee(s)

 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee (\$)	Fee Description	Fee Paid
1001	2001	385		Utility filing fee	
1002	2002	170		Design filing fee	
1003	2003	265		Plant filing fee	
1004	2004	385		Reissue filing fee	
1005	2005	80		Provisional filing fee	
SUBTOTAL (1) (\$)					

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims below	Fee Paid
20			-20** = 0	X 18 = 0
2			-3** = 0	X 86 = 0

Large Entity	Small Entity	Fee Description
1202	2202	9 Claims in excess of 20
1201	2201	43 Independent claims in excess of 3
1203	2203	145 Multiple dependent claim, if not paid
1204	2204	43 ** Reissue independent claims over original patent
1205	2205	9 ** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$ 0)		

*or number previously paid, if greater. For Reissues, see above

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee (\$)	Fee Code (\$)	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	850	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	800	Request for expedited examination of a design application	
Other fee (specify) _____					
*Reduced by Basic Filing Fee Paid				SUBTOTAL (3) (\$)	

(Complete if applicable)

SUBMITTED BY	Registration No. (Attorney/Agent)	Telephone	Date
Name (Print/Type)	Ronald S. Tamura	43,179	818/493-3157
Signature	Ronald S. Tamura		3/19/04

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PAGE 5/5 * RCVD AT 3/19/2004 7:41:37 PM [Eastern Standard Time]* SVR:USPTO-EFXRF-1/0 * DNI:8729306 * CSID:818 362 4795 * DURATION (mm:ss):01:24

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RESPONSE TO RESTRICTION REQUIREMENT

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on:

Mail Stop AMENDMENTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

March 19, 2004
Estella Pineiro 3/19/04
Estella Pineiro Date

Dear Sir:

In the Restriction Requirement mailed March 15, 2004, the Examiner identified four embodiments.

The Examiner has required Applicants to elect Embodiment 1 or Embodiment 2 for prosecution. Embodiment 1 is directed to a system using separate electrodes for applying the current and measuring the voltage (claims 67 and 76-91), and Embodiment 2 is directed to using the same electrodes for applying the current and measuring the voltage (claims 92-95). Applicants elect Embodiment 1.

The Examiner has further required Applicants to elect Embodiment 3 or Embodiment 4 for prosecution. Embodiment 3 is directed to voltage electrodes being in operable association with the left atrium (claims 78-84), and Embodiment 4 is directed to voltage electrodes being in operable association with the left ventricle (claims 85-91). Applicants elect Embodiment 4.

Serial No. 09/858,183

Page 1 of 2

Docket No. SJ1-010US

PATENT

This election is made without traverse. Upon the allowance of a generic claim,
Applicants respectfully request consideration of the non-elected claims.

Respectfully submitted,

3/19/04

Date

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